



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

09/556,333

04/24/2000

David Stanard

3849US

7617

7590

.06/28/2004

Gordon T Arnold
Arnold & Associates
2401 Fountainview
Suite 630
Houston, TX 77057

EXAMINER

FRANKLIN, JAMARA ALZAIDA

ART UNIT

PAPER NUMBER

2876

DATE MAILED: 06/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/556,333	STANARD, DAVID	
	Examiner	Art Unit	
	Jamara A. Franklin	2876	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 April 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6, 8-23 and 29-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6, 8-23, and 29-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>4/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Acknowledgment is made of the amendment received on 4/6/04. Claims 1-6, 8-23, and 29-36 are currently pending.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 8-12, and 17-23 are rejected under 35 U.S.C. 102(b) as being anticipated by Berson (US 5,598,477).

Berson teaches a system for issuing airline tickets. A purchaser wishing to obtain an airline ticket inputs information through a personal computer 10 to data processing system 12-1. Data processing system 12-1 communicates with an airline reservation system to obtain information as to the availability of suitable flights consistent with the purchaser's itinerary. Data processing system 12-1 returns ticket information, including encrypted validating information, purchaser's name, destination, flight, and fare, to a local printing system 20. The local printing system is a non-intelligent printer operating under the control of personal computer 10 (col. 3, lines 21-60 and col. 4, lines 45-57).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 2-6 and 13-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Webber et al. (US 5,021,953) (hereinafter referred to as 'Webber') in view of Berson.

Webber teaches a system comprising a processor 18 which includes, or communicates with, a tariff file 20 for storing airline schedules, routings and footnotes, legal connecting times, and fares; a traveler file 22 for storing individual traveler's name and address and telephone numbers, credit card numbers, frequent traveler numbers, and seating preference; an airline reservation system 30 for storing seat availability; and a trip record for storing a traveler's itinerary and printing the itinerary and ticket at the traveler's personal computer (col. 5, line 22-col. 6, line 21; col. 17, lines 30-42).

Webber lacks the teaching of a unique indicia assigned to the ticket and ticket information in computer-readable form binding a particular seat to a particular customer. Also not taught is the newly added limitation whereby the customer may print the ticket independent of ticket printing authorization from the ticket database.

The teachings of Berson have been discussed above.

One of ordinary skill in the art would have readily recognized that a unique indicia assigned to the ticket would have been beneficial for thwarting off fraudulent use of the ticket by making the pertinent ticket information available to only those in possession of instruments used

Art Unit: 2876

to ascertain the indicia. Therefore, it would have been obvious, at the time the invention was made, to modify the teachings of Webber with the cipher-code of Berson as a security means.

5. Claims 29-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Webber/Berson as applied to claims 2 and 5 above, and further in view of Rosen.

Webber/Berson lack the teaching whereby the ticket is useable by a ticket bearer without regard to the particular customer to which the particular seat is bound.

The teachings of Rosen have been discussed above.

Again, one of ordinary skill in the art would have readily recognized that the convenience of being able to transfer a ticket is beneficial since, in this manner, ownership of a ticket may change hands in the wake of an instance where the purchaser can not use the ticket. Therefore, it would have been obvious, at the time the invention was made, to modify the teachings of Webber/Berson with the transferable ticket as taught by Rosen to guarantee that the ticket will be put to use by someone.

Response to Arguments

6. Applicant's arguments filed 4/6/04 have been fully considered but they are not persuasive.

Upon extensive consideration by the examiner, the examiner submits that the limitations, as claimed in independent claims 1, 2, 5, 17, and 29, citing means for transmitting a ticket to a customer-selectable device/printer remote from the customer is not adequately disclosed within the specifications. On the last paragraph of page 6 continuing through to page 7, a system which

Art Unit: 2876

may allow a customer to transfer a ticket to another customer without the need for physically exchanging the ticket is discussed. However, nowhere is transmitting or printing the ticket to a customer-selectable device/printer disclosed.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

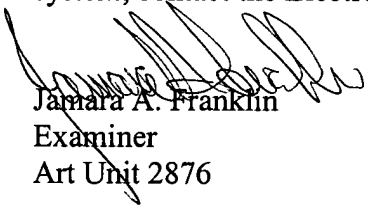
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jamara A. Franklin whose telephone number is (571) 272-2389. The examiner can normally be reached on Monday through Friday 8:00am to 4:30pm.

Art Unit: 2876

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on (571) 272-2398. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Jamara A. Franklin
Examiner
Art Unit 2876

JAF
June 25, 2004



MICHAEL G. LEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800